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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

H. Michael SHEPARD, et al.

Application Serial No. 09/782,721

Filed: February 12, 2001

For: **ENZYME CATALYZED
THERAPEUTIC AGENTS**

Art Unit: 1623

Examiner: Unassigned

Attorney's Docket No. 126745-200402

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

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application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- ☒ Attached is our check in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ The Examiner's attention is directed to co-pending U.S. Patent Application Nos. 09/235,809, filed January 22, 1999 and 09/130,839, filed August 7, 1998, which are directed to related technical subject matter. The identification of these U.S. Patent Applications are not to be construed as a waiver of secrecy as to these application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.
- ☒ Copies of the documents were cited by or submitted to the Office in Application Nos. 09/235,809, filed January 22, 1999 and 09/235,961, filed January 22, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0974 referencing attorney's docket number 126745-200402.

Respectfully submitted,

Date: June 5, 2001



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